

Before the
Federal Communications Commission
Washington, D.C. 20554

Recommendations of Independent)	
Panel Reviewing the)	
Impact of Hurricane Katrina on)	EB Docket No. 06-119
Communications Networks)	
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COMMENTS OF AGILE COMMUNICATIONS GROUP

Agile Communications Group (“ACG”) hereby submits its comments to the Federal Communications Commission (“Commission”) in response to the Commission’s *Public Notice* regarding the Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (“Panel”).¹ ACG is a Tampa, Florida-based wireless application service provider. ACG’s services include an emergency alert notification platform utilizing Short Message Service (“SMS”) or text messaging functionality, serving domestic and international customers with innovative and cutting-edge products.² ACG commends the work of the Independent Panel and the Commission in their efforts to improve disaster preparedness, network reliability, and communications among

¹ See In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks; Request for Comment on Applicability of Recommendations to All Types of Disasters, EB Docket No. 06-119, *Public Notice*, DA 06-1524, rel. July 26, 2006. (“*Public Notice*”); *Notice of Proposed Rulemaking*, FCC 06-83, 71 Fed. Reg. 38564 (July 7, 2006) (“*Notice*”).

² ACG was previously known as Airt2me, LLC. and has filed comments under the name of Airt2me, Inc. in the Commission’s proceeding in EB Docket No. 02-496, Review of the Emergency Alert System.

first responders. ACG appreciates the opportunity to offer its comments on the *Independent Panel Report*³ and the Commission's *Notice* and *Public Notice*.

ACG strongly believes that SMS technology could and should be used to address the four primary areas identified by the *Independent Panel Report*: (1) pre-positioning the communications industry and the government for disasters in order to achieve greater network reliability and resiliency; (2) improving recovery coordination to address existing shortcomings and to maximize the use of existing resources; (3) improving the operability and interoperability of public safety and 911 communications in times of crisis; and (4) improving communication of emergency information to the public. As recognized by the *Independent Panel Report*, ACG believes that existing SMS wireless technology has been, can be, and will be a valuable communications technology for first responders, public safety officials, and the general public in catastrophic situations, such as Hurricane Katrina.⁴ Immediately following the devastating impact of Hurricane Katrina, ACG offered its services free of charge to various disaster relief organizations, including the American Red Cross. ACG strongly believes that a wireless SMS platform could have been and should be used to provide an effective emergency alert system to first responders and to connect families and missing persons when many landline networks are down due to storm-related damages. In addition, an SMS alert could have been used to provide important evacuation information to hundreds of

³ See generally Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, *Report and Recommendations to the Federal Communications Commission*, 5-42 ("*Independent Panel Report*").

⁴ See *Independent Panel Report* at 9-10.

thousands of people in the path of recent hurricanes such as Katrina before the landfalls of these powerful storms.

ACG is also aware of the practical benefits of using SMS technology to reach out to the deaf and non-English speaking communities in order to provide an effective emergency communications mechanism. ACG supports the incorporation of a Common Alerting Protocol into the emergency regulatory structure to facilitate timely and effective notification to the entire disability community through delivery of information to multiple devices.⁵

Presently, ACG is offering to local government agencies the ability to provide alert notification systems that complement the existing Emergency Alert System (“EAS”) by providing greater efficiency and redundancy for emergency alerts directed to key local public safety officials and the general public in times of crisis and disaster. The communication channels that can be utilized for alerting via ACG platform include wireless SMS-based alerts, WAP Push alerts, and email alerts.

While the technology used by ACG’s alert notification product has the capability to reach hundreds of thousands of people in a relatively short amount of time, ACG recognizes and appreciates that a wireless SMS-based emergency alert notification system does have certain practical limitations. ACG understands that a mass alert to the population in a large metropolitan area via SMS may take too long and has the potential to cause congestion of the networks of wireless carriers, which

⁵ See Joint Statement of the American Council of the Blind and the American Foundation for the Blind at p. 4, filed May 3, 2006; Statement of Consortium for Citizens with Disabilities at p.4, filed April 13, 2006.

may in fact hinder the ability of local public safety officials, first responders, and emergency dispatchers to communicate as needed in a time of crisis. Further, ACG fully understands and agrees that any wireless SMS alert system must not interfere with wireless carriers' existing obligations to serve emergency communications needs. However, ACG envisions wireless SMS-based notifications on an opt-in basis to wireless customers as an enhancement to the EAS and other emergency alert notification systems by providing an efficient and directed means of getting alerts to both the general public and key public officials in a timely basis, regardless of the location of the wireless customer, or for connecting missing and lost individuals with family, friends, and loved ones in the aftermath of a disaster.

ACG's SMS-based alert notification system has the logical ability to escalate the alert to individuals or groups in cascading manner until someone in the chain-of-alert is reached. Escalation can also occur among different communications channels used by the intended recipient until receipt of the alert is confirmed. Alert delivery can be tracked and receipt acknowledgment generated to ensure the recipient has not only received but also read the critical messages.

ACG also appreciates the practical concern that SMS text messages are limited to 140-160 characters per message. While ACG understands that this message size limitation may be problematic for longer messages, we do not believe that a good solution should be thrown out in the illusive search for the perfect solution, and we note that message size will likely be expanded over time with technological improvements. At present, a single SMS can convey a significant

amount of information within the bounds of the existing size limit. Within the existing SMS message size limit, an emergency alert message devoted to communicating with key first responders or reconnecting lost individuals could employ templates for messages to deal with anticipated emergency situations. The first responder personnel would follow pre-determined assigned protocols or courses of action upon receipt of specific test message prompts. SMS messages also could be sent out in succession at a time of crisis in order to get out longer alerts that exceed the size limitation for a single SMS message.

In sum, current wireless SMS-based technologies can and should be used for providing an efficient and timely emergency notification alert mechanism to key public officials and the general public and for connecting missing persons before, during, and after catastrophic events. As a result, the Commission should encourage the deployment and use of wireless SMS-based emergency alert solutions to augment and improve disaster preparedness and communications among first responders.

Respectfully submitted,

/s/ William Cox

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Group

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